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VARIANCES TO STANDARDS APPLICATION

March 3, 2014

Purpose: ARM 10.55.604.1. A local board of trustees may apply to the Board of Public Education through the Superintendent of Public Instruction to implement a variance to a standard or a section of standards, excluding standards stating statutory criteria, standards pertaining to educator licensure or endorsement, and content standards as defined by the Board of Public Education and provided in guidance from the Superintendent of Public Instruction.

DUE DATES

- First semester implementation; March 3, 2014
- Second semester implementation; July 7, 2014

COUNTY: Phillips

DISTRICT: Malta Public Schools

LIST THE SCHOOL OR MULTIPLE SCHOOLS THAT ARE REQUESTING THE VARIANCE(S): Malta K-5, Malta Middle School, Malta High School, Loring Colony School

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1. Is this an initial application (2 years) or a Renewal application (3 years)?
Initial
 2. Is this for first semester implementation or second semester implementation?
Both
 3. Standard(s) for which a variance is requested, i.e., 10.55.709. If there is a program delivery standard, be sure to list it as well. For example, 10.55.1801.
10.55.709
 4. Please attach evidence through official minutes of the board of trustees that local school community stakeholders were involved in the consideration and development of the proposed variance to standards. Stakeholder groups include trustees, administrators, teachers, classified school staff, parents, community members, and students as applicable.
Stakeholders present were:

Mark Knudsen, Board Chair

Greg Skiff, Trustee

John Meisdalen, Trustee

Carter Claussen, Trustee

Gaelen Curtis, Trustee

Scott King, High School Principal

Shawn Bleth, Middle School Principal

Tad Schye, Elementary Principal



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Patrick Sargent, MEA President

Shauna Smith, Parent

Curtis Starr, Taxpayer/Owner Phillips County News

5. **Please provide evidence that the board of trustees adopted its application for variance at an official, properly noticed meeting of its board of trustees.**

See attached Agenda.

6. **Describe the variance requested.**

The terms "District" and "Schools" are synonymous in rural Montana. We are a K-12 District, operating four schools within that district, however, semantically, we consider ourselves 1 school occupying different buildings. The need exists, by our enrollment, for 1+ FTE Librarian. Specifically, by enrollment, Malta High School requires .5 FTE, Malta Elementary .5 FTE, and the Malta Middle School and Loring a percentage FTE greater than 0 (.001 will suffice to meet the standard.) In essence a librarian hired at .002 FTE would satisfy the statute. Our K-12 Enrollment is fewer than 500 students. If we were one school, one librarian would satisfy the requirement. Because we are 4 schools, in one district with enrollments ranging from 4-210, we are required to have 1+ Librarian. From 10.55.709 Library Media Services, K-12

(a) .5 FTE for schools with 126-250 students; Malta High School, 162 students (.5 FTE)/Malta Elementary 210 students (.5 FTE).

Schools of fewer than 126 students shall employ or contract with a licensed and endorsed school library media specialist. Malta Middle School 112 students (.001 FTE), Loring Colony School 4 students, (.001 FTE).

7. **Provide a brief statement of the mission and goals of this proposed variance.**

Through the diligent work of our Librarian, careful scheduling of her time, and the gracious support of community volunteers, our Library services meet the needs of all students in the Malta School District. During difficult financial times, hiring another faculty member, for .002 FTE, at a full time salary, seems wasteful and disingenuous to our taxpayers.

8. **List at least one specific measurable objective(s) that demonstrates that the proposed variance will meet or exceed the results under the current standard(s).**

Students at Malta Public Schools will continue to show gains in Reading as measured by Accelerated Reader, STAR Diagnostics, AIMSWeb, and/or MontCAS/Smarter Balanced, as soon as scores are reported.

9. **What data or evidence will be gathered to document progress toward meeting the measurable objectives?**

Accelerated Reader, STAR Diagnostics, AIMSWeb, and/or MontCAS/Smarter Balanced, as soon as scores are reported.



10. In what way does this variance to standard meet the specific needs of the students in your school(s)?

Our students are served well, and have been by the Library/Media program in places, and will doubtless, continue to receive those services in the future. Through the diligent work of our Librarian, careful scheduling of her time, and the gracious support of community volunteers, our Library services meet the needs of all students in the Malta School District.

11. Variance to Standard: Outline how and why the proposed variance would be:

a. Workable. (Sufficient district resources are available for the success of the variance.)

The requirement to meet the Standard, hiring a partial FTE, seems wasteful and nonsensical given the "workability" of the system currently in place. Our Libraries are always staffed with either a certified Librarian or community volunteer, to provide services to our students.

b. Educationally sound. (Applicant has relied on sound research as a rationale for the variance.)

Our students are not, nor have they been "harmed" by having a librarian for the district. What is not educationally sound is hiring another FTE, to satisfy the requirement of employing a percentage FTE to satisfy the rule. District resources would be better served in purchasing more library books, technology, etc.

c. Where applicable, aligned with program standards under ARM 10.55.1101 through 10.55.1901.

LIBRARY MEDIA: PROGRAM

The school library media program is essential in creating independent learners who are efficient consumers and producers of information. By using a variety of information formats, focusing on the learning process and collaborating with other disciplines, school libraries provide the entire school community with opportunities to acquire the information skills they need to interact responsibly in a global society.

An ongoing desire to know, a love for reading and a respect for information will transform a student into a lifelong independent learner. The role of libraries in a democratic society is to embrace

the social responsibility of learning.

10.55.1801 Library Media Program Delivery Standards

(1) In general, a basic program in library media shall:

(a) meet the following conditions:

- (i) establish flexible scheduling to ensure that libraries respond to information needs, foster intellectual curiosity, and support learning;
- (ii) ensure collaboration with classroom teachers of all disciplines to implement content area standards and to assist students in engaging in the inquiry/research process;
- (iii) model and support the ethical use of information, adherence to copyright laws, and respect for intellectual property; and
- (iv) advise the board of trustees on policy and rule pertaining to:



- (A) developing and maintaining a library collection that is current, balanced, and reflects authentic historical and cultural contributions of Montana's American Indians and other minority and ethnic groups;
- (B) engaging in comprehensive long range planning to administer and manage, in a secure area, the human, financial, and physical resources of the library to locate, access, and use on-site resources that are organized and cataloged; and
- (C) implementing a viable collection development policy which includes the following components:
 - (I) materials selection and de-selection;
 - (II) challenged materials procedure;
 - (III) intellectual/academic freedom statement;
 - (IV) confidentiality assurance;
 - (V) copyright guidelines; and
 - (VI) gifts and donations.
- (b) include the following practices:
 - (i) collaborate with classroom teachers of all disciplines to highlight and reinforce the commonalities and links between and among the curricular areas;
 - (ii) cooperate and join with other libraries, information agencies, and community resources in the sharing of materials;
 - (iii) encourage partnerships with information centers that use electronic information systems; and
 - (iv) participate in school-wide technology and telecommunications planning and promote its integration into all instructional programs.

12. Designed to meet the content standards for this area of the curriculum (only applies to those standards which also have related curriculum content standards).

RENEWAL APPLICATION ONLY: Please attach a summary of the data gathered to demonstrate that the variance cycle ending June 30, met or exceeded the standard. State the measurable objective for the initial or previous application.



Montana
Office of Public Instruction
Denise Juneau, State Superintendent

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Mail your signed form to:

Accreditation and Educator Preparation Division
Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501

Board Chair Name: MARK KUDSON

Board Chair Signature: _____

Date: 2-14-14

Superintendent Name: KRIS KUEHN

Superintendent Signature: Kris Kuehn

Date: 2-14-14

OPI USE ONLY

Superintendent of Public Instruction: Denise Juneau

Date: _____

☐ Approve ☐ Disapprove

Board of Public Education Chair

Sharon Carroll

Date: 5/9/14

☒ Approve ☐ Disapprove



Denise Juneau, Superintendent • Montana Office of Public Instruction

Malta School District
Regular School Board Meeting
Date: Wednesday, February 12, 2014
Place: Teacher's Workroom, Malta Middle/High School
Time: 6:30 p.m. Work Session

AGENDA

- I. CALL TO ORDER: 7:00 p.m.**
- II. RECOGNITION OF VISITORS**
- III. PUBLIC INPUT**
Comments must be non-agenda items and related to topics under the jurisdiction of the Malta Public Schools
- IV. CONSENT AGENDA**
 - A. APPROVE AGENDA**
 - B. APPROVE MINUTES**
 - January 15, 2014
 - February 3, 2014
 - C. APPROVE THE BILLS**
 - D. APPROVE THE SUBSTITUTE TEACHER LIST**
- V. STANDING COMMITTEE REPORTS**
- VI. ADMINISTRATIVE REPORTS**
- VII. UNFINISHED BUSINESS**
 - 1. Vic Schumacher
 - 2. 2013-2014 Contracts
 - a. Extra-Curricular Contracts
- XIII. NEW BUSINESS**
 - 3. 2014-2015 School Calendar
 - 4. Call for School Election
- IX. SUPERINTENDENT'S REPORT**
 - 1. Pickup Purchase Update
 - 2. PIR Update
 - 3. Superintendent's Report
 - Application for Variance to Standards
- X. SET NEXT REGULAR SCHOOL BOARD MEETING**
Wednesday, March 12, 2014 at 7:00 p.m. in the Malta Middle/High School Workroom
- FINAL COMMENTS - Comments for the Good of the School District**

February 12, 2014
Regular Meeting Minutes

Chairman Mark Knudsen called the regular meeting to order in the Board room of the Malta Middle/Senior High School at 7:00 PM. Board members present were Mark Knudsen, John Meisdalen, Gaelen Curtis, Carter Clausen, and Greg Skiff. Others present were Superintendent Kris Kuehn and Business Manager Jane Knudsen.

Visitors present: Elementary Principal Tad Schye, Middle School Principal Shawn Bleth, High School Principal Scott King, Curtis Starr, Pat Sargent, Vic Schumacher, and Shonna Smith.

Public input: None.

Consent Agenda

This consists of approving the minutes from the January 15, 2014 regular meeting and the February 3, 2014 special meeting, approve the agenda, approve the current month's bills, and approve the substitute teacher list.

John made a motion to approve the consent agenda; seconded by Carter. Motion passed with all members present voting AYE.

Committee Reports:

None.

Administrative Reports:

Elementary Principal Tad Schye reported on elementary happenings. Middle School Principal Shawn Bleth related middle school happenings. High School Principal Scott King reported on upcoming high school and athletic events. Mr. King also discussed building issues regarding the sidewalks, carpet and door locks.

The Curriculum Committee, Scott King and a group of parents met to discuss the grading system. Scott presented the changes in the grading system to the board.

Mr. King presented two students (Thalia Medina and Micaela Olson) for early graduation requests for next year. These students wish to graduate in December 2014. **Greg made a motion to approve the early graduation requests for December 2014; seconded by Gaelen. The motion passed with all members present voting AYE.**

Unfinished business: The first item of unfinished business is a request from Vic Schumacher for a retirement incentive. Mr. Schumacher presented a timeline of events from the first day of school thru current day about his quest to receive an incentive. Mr. Schumacher then read his resignation letter to the board, handed it to Mr. Kuehn and left the room. As the board prepared to discuss the item, Gaelen asked if they could talk about Mr. Schumacher if he was gone. The Board Chairman requested a 10 minute recess. The board recessed at 7:43 PM. At 7:49 PM the board

Call to Order

Visitor List

Public Input

Approve Agenda,
Minutes, Bills,
Substitute List

Committee
Reports

Administrative
Reports

Early Graduation
Requests for
FY15

Unfinished
Vic Schumacher

reconvened. Mark stated that the recess was used to contact legal counsel about Gaelen's question. He was informed that as it is an action item, the matter could be discussed whether Mr. Schumacher stayed or left. Mark stated that there can be a motion, no motion or a motion and no second. Kris stated that the board is currently operating under a retirement incentive that does not expire until the end of June. That incentive was used to manage the fiscal and personnel matters of the district. Mark asked if there was a motion of any kind. **Gaelen made a motion for a one time only cash payment of \$10,000 to be paid to Vic Schumacher.** Mark called for a second. Before the motion could be seconded, discussion ensued regarding how the payment would be funded, whether the classified retirement incentive would be impacted and are there legal issues with this. After this discussion was over, **Gaelen requested to withdraw her motion. Mark asked if there were any other motions. There being none, no action was taken on this item.**

The second item and last item of unfinished business is 2013-2014 contracts. Kris presented Ashley Pankratz for High School Academic Olympics and Delmar Henry for High School Assistant Golf Coach. **Carter made a motion to hire Ashley Pankratz for HS Academic Olympics and Delmar Henry as Assistant Golf Coach; seconded by Greg. The motion passed with all members present voting AYE.**

2013-2014
Contracts

New Business: The first item of new business is the 2014-2015 School Calendar. Kris asked the board to table this matter until the March meeting. He has learned of potential scheduling issues that could affect the calendars he has currently presented to the board. **Carter made a motion to table approval of the 2014-2015 School Calendar to the March meeting; seconded by John. The motion passed with all members present voting AYE.**

New Business:
2014-2015 School
Calendar

The second and final item of new business is to call for a school election. Supt. Kuehn presented the Trustee Resolution Calling for an Election. This allows for the trustee and levy election scheduled for May 6, 2014, reserving the right to cancel either portion. **Greg made a motion to pass the Resolution as presented; seconded by John. The motion passed with all members present voting AYE.**

Call for a School
Election

Superintendent's Report: Superintendent Kuehn gave his report to the Board. Kris reported on the Annual Data Collection and stated that our district is required to have 1,002 librarians on staff and we currently have 1. We are allowed a variance to a standard if we make application to do so. Kris is requesting approval from the board to file this application with OPI. **John made a motion for the superintendent to apply for a variance to the standard; seconded by Carter. The motion passed with all members present voting AYE.**

Superintendent's
Report

The regular board meeting is set for Wednesday, March 12 at 7:00 PM in the work room of the Malta High School. **John made a motion to move the regular board meeting to Tuesday March 11, 2014 at 4:00 PM; seconded by Greg. The motion passed with all members present voting AYE.**

Set next board meeting

Final Comments: None.

Final Comments

John moved to adjourn; Greg seconded the motion; motion carried with all members present voting AYE. Meeting adjourned at 8:29 PM.

Adjournment

Mark Knudsen,
Chairman of the Board

Jane M Knudsen,
Clerk of the Board

Malta Public Schools

Additional Information Regarding Application for Variance to Standards 10.55.709

Others involved in decision making process leading to a Variance to Standards Application:

Librarian: Lynne Nevriy

Principal(s): Scott King, Shawn Bleth, Tad Schye

Teachers(s): Elementary: Barb Buechler, Julie Henry, Heidi Lullof. Middle School: Shyla Claussen. High School Ashley Pankratz

Past Three Years of Enrollment

	2011-2012	2012-2013	2013-2014
Malta Elementary	224	231	244
Malta Middle Schools	119	115	114
Malta High School	190	172	170
Loring Colony School	8	7	4
Total	541	525	532

Librarian Schedule (**I suggest you use this schedule as evidence to document progress toward meeting the measurable objectives instead of student test scores. There is no requirement to use student test scores as evidence. Establishing and keeping this schedule is enough.**)

	Times of Day	Day of the Week
Malta Elementary	8:00-9:55, 1:30-4:00	5
Malta Middle School	9:55-1:30	5
Malta High School	9:55-1:30	5
Loring Colony School	As Needed	As Needed

Roles of community volunteers, students, other teachers in Libraries: When Mrs. Nevriy is at the Middle/High School Library, a Green Thumb Volunteer occupies the elementary Library. When Mrs. Nevriy is at the Elementary Library, a student aide occupies the Middle/High School Library. In addition, all faculty members of the Middle/High School, have access to the Library at any time, and are all capable of checking books in and out, if need be, or the student aide is not available.

11.c. Where applicable, aligned with program standards under ARM 10.55.1101 through 10.55.1901

10.55.1801 Library Media, Program

(i) establish flexible scheduling to ensure that libraries respond to information needs, foster intellectual curiosity, and support learning; - see schedule above

(ii) ensure collaboration with classroom teachers of all disciplines to implement content area standards and to assist students in engaging in the inquiry/research process; As with any “Ancillary Service” in a school district, our librarian works daily with our classroom teachers; in addition to providing library services, Mrs. Nevriy administers the Accelerated Reader Program in grades K-8. In order to effectively operate two libraries, collaboration, teamwork and commitment are needed by all stakeholders; students, classroom teachers, administrators and librarian. A vital library program is essential to the success of all students; The Malta Public Schools “Tradition of Excellence” would not allow for anything less than a vibrant, fully functional Library System at any of the District Libraries.

(iv) advise the board of trustees on policy and rule pertaining to:

(B) engaging in comprehensive long range planning to administer and manage, in a secure area, the human, financial, and physical resources of the library to locate, access, and use on-site resources that are organized and cataloged; and as our enrollment continues to fall, the need for more than one FTE in library media should also decrease. Through normal attrition of our aging faculty, the prospect of hiring a teacher that possesses a library endorsement would certainly alleviate our issues.

(C) implementing a viable collection development policy which includes the following components:

Please find the attached School Board Policies.

(ii) cooperate and join with other libraries, information agencies, and community resources in the sharing of materials; Our students are able to access a wide variety of information; either through hard copy via current books in the library, interlibrary loan, and/or on-line.

(iv) participate in school-wide technology and telecommunications planning and promote its integration into all instructional programs. The District’s accepted Technology Plan includes a Library Section which was crafted in part with Mrs. Nevriy and retired librarian, Mrs. Lind’s, input.

INSTRUCTION

2309

Library Materials

School library and classroom library books are primarily for use by District students and staff. Library books may be checked out by either students or staff. Individuals who check out books are responsible for the care and timely return of those materials. The building principal may assess fines for damaged or unreturned books.

District residents and parents or guardians of non-resident students attending the District may be allowed use of library books, at the discretion of the building principal. However, such access shall not interfere with regular school use of those books. Use of library books outside of the District is prohibited except for inter-library loan agreements with other libraries.

Any individual may challenge the selection of materials for the library/media center. The Uniform Complaint Procedure will be utilized to determine if challenged material is properly located in the library.

Cross Reference: 1700 Uniform Complaint Procedure
 2314 Learning Materials Review

Legal Reference: § 20-4-402(5), MCA Duties of district superintendent or county high school principal
 § 20-7-203, MCA Trustees' policies for school library
 § 20-7-204, MCA School library book selection

Policy History:

Adopted on: August 2, 2005

Revised on:

INSTRUCTION

2310

Selection of Library Materials

The District has libraries in every school, with the primary objective of implementing and supporting the educational program in the schools. It is the objective of these libraries to provide a wide range of materials on all appropriate levels of difficulty, with diversity of appeal and the presentation of different points of view.

The provision of a wide variety of library materials at all reading levels supports the District's basic principle that the school in a free society assists all students to develop their talents fully so that they become capable of contributing to the further good of that society.

In support of these objectives, the Board reaffirms the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States and expressed in the School Library Bill of Rights, endorsed by the American Association of School Librarians in 1969.

Although the Superintendent is responsible for selection of library materials, ultimate responsibility rests with the Board.

The Board, acting through the Superintendent, thereby delegates authority for selection of library materials to the principal in each of the schools. The principal further delegates that authority to the librarian in the school.

(NOTE: BY STATUTE, THE SUPERINTENDENT HAS AUTHORITY AND IS RESPONSIBLE FOR SELECTION OF LIBRARY MATERIALS, SUBJECT TO BOARD APPROVAL. THE SUPERINTENDENT AND BOARD MAY NOT WANT TO DELEGATE THIS RESPONSIBILITY.)

Legal reference:	§ 20-4-402(5), MCA	Duties of district superintendent or county high school principal
	§ 20-7-203, MCA	Trustees' policies for school library
	§ 20-7-204, MCA	School library book selection

Policy History:

Adopted on: August 2, 2005

Revised on:

INSTRUCTION

2310P

Selection of Library Materials

Selection of library materials is a professional task conducted by library staff. In selecting library materials, the librarian will evaluate the existing collection; assess curricula needs; examine materials, and consult reputable, professionally prepared selection aids.

Weeding

When materials no longer meet criteria for selection, they will be weeded. Weeding is a necessary aspect of selection, since every library will contain works which may have answered a need at the time of acquisition, but which, with the passage of time, have become obsolete, dated, unappealing, or worn out.

Discarded materials will be clearly stamped:

“WITHDRAWAL FROM MALTA PUBLIC SCHOOL LIBRARY”

Materials will be discarded in compliance with § 20-6-604, MCA. When the decision to sell or dispose of library materials is made, the Board will adopt a resolution to sell or otherwise dispose of the material because it is or is about to become abandoned, obsolete, undesirable, or unsuitable for the school purposes of the District. The Board will publish a notice of the resolution in the newspaper of general circulation in Malta. The resolution may not become effective for fourteen (14) days after notice is published.

Gifts

Gift materials may be accepted with the understanding they must meet criteria set for book selection.

Procedure History:

Promulgated on: August 2, 2005

Revised on:

INSTRUCTION

2312

Copyright

The District recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or use of audio, visual, or printed materials and computer software, unless the copying or use conforms to the “fair use” doctrine.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research.

While the District encourages its staff to enrich learning programs by making proper use of supplementary materials, it is the responsibility of staff to abide by District copying procedures and obey requirements of law. Under no circumstances will it be necessary for staff to violate copyright requirements in order to properly perform their duties. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with District procedures or is permissible under the law should consult the Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when such authorization is required.

Legal Reference: 17 USC 101 - 1010 Federal Copyright Law of 1976

Policy History:

Adopted on: August 2, 2005

Revised on: